

1 MAR 1977

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MEMORANDUM FOR: Deputy Director for Administration

FROM : F. W. M. Janney
Director of Personnel

SUBJECT : Disparities Between CIA and DIA Personnel
Policies/Practices at NPIC

REFERENCE : Memo for DD/A fr D/Pers dtd 24 Jan 77, subj:
Report of Voluntary Separation GS-12 and Above
Staff Employees, Transition Quarter FY 76

1. The review of the administrative differences in handling Agency and DIA Imagery Analysts at NPIC has now been completed. The underlying basis for the differences are the provisions of the Civil Service regulations applicable to DIA personnel and the policies unilaterally established in CIA. The apparent inequities are significant in only two areas, the single grade promotion and the overtime policies of the CIA. The two matters are discussed below and are followed by a recommendation.

2. Promotion

a. DIA promotes on the two-grade policy of the Civil Service for professional personnel in grades GS-05 to GS-11, and has established a one-year minimum time-in-grade for each promotion. This permits an employee to progress at the optimum from grade GS-07 to GS-11 in 24 months, with the average time approximately 30 months. The NPIC Imagery Analyst normally cannot go from GS-07 to GS-11 in less than 42 months, with the normal time for the past three years being 60 months. The DDS&T time-in-grade guidelines for promotion from GS-07 to GS-08 and from GS-08 to GS-09 is nine months; for promotion from GS-09 to GS-10 and GS-10 to GS-11, it is 12 months. The time-in-grade requirement may be waived for exceptional cases. These times-in-grade are not unreasonable in terms of the Agency's one-grade promotion policy at these levels; less time would negate any purpose of the practice.

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b. Comparing the average time for the progression from GS-07 to GS-11 for the Imagery Analysts in NPIC to the average time for these grades in the Agency and in the Career Services, we find the progress of the NPIC personnel is considerably more rapid. The APP figures for FY 74, 75 and 76 for the Agency, and the Career Services, are shown below. In addition, the report for DDI/OIA, the other Agency office having Imagery Analysts, reflects an average time-in-grade for promotion from GS-07 to GS-11 for the past three years is 75 months (6.3 years).

Average Time to Progress From GS-07 to GS-11

	<u>FY 74</u>	<u>FY 75</u>	<u>FY 76</u>
DDS&T	7.3 years	6.2 years	8.58 years
DDA	7.6	7.2	7.5
DDI	6.6	7.3	5.3
DDO	8.9	8.9	9.3
AGENCY	7.8	7.3	7.3

The above figures were obtained by adding the individual time-in-grade averages and cannot be viewed as true averages; they are provided here only to give a broad overview of the situation elsewhere in the Agency. A more accurate analysis for a direct comparison with the NPIC Imagery Analyst progression would require tracing individual employees in the Career Services.

We are advised by representatives of the DDI, DDA and DDO that none of these Career Services have established time-in-grade requirements at these grades, though in practice, with exceptions when merited, a year in grade is a basic rule of thumb.

c. In reviewing options available for solving NPIC's apparent problem, we find only one worth further consideration, e.g., a change in Agency policy for one-grade promotions from GS-07 to GS-11. It would not be equitable nor evidence of a sound personnel management system to waive the policy for Imagery Analysts, for NPIC or for the DDS&T alone, hence only a change in Agency policy should

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be considered if the problem is judged to be of such magnitude as to warrant a remedy of this scope. The current situation in NPIC involves about ☐ DIA and approximately ☐ CIA GS-11 and below employees.

d. In this regard, however, it should be noted that as recently as March 1976 the one-grade promotion policy was reaffirmed by Agency management. The Director of Personnel had recommended in a memorandum to the DD/A that the policy be changed in recognition of the changing conditions of the Agency's professional personnel complement. Mr. McMahon, the then ADD/A, contacted the other Directorates to obtain their views relative to a change and only the DDI supported the Office of Personnel position. More recently, the MAG in its 7 December 1976 paper made the same proposal to change to the two-grade schedule. Again the DDI supported this position and DDS&T clearly opposed any change.

3. Overtime

a. The other basic difference between the practices of the two agencies is in the area of overtime compensation. DIA pays overtime for the time worked in excess of the eight hour workday; CIA employees are compensated in accordance with ☐ which limits overtime pay to hours worked in excess of a normal basic workweek and further restricts overtime compensation for personnel in grades GS-12 and above to payment only after the first eight hours of overtime. DIA GS-15 personnel are authorized overtime under the same rules as lower graded personnel; GS-15 personnel in CIA receive overtime pay only under the second job concept. The nonstandard workweek at ☐ is the source of the significant overtime compensation difference. As the nonstandard schedule there operates, DIA personnel receive straight pay for 32 hours and overtime for the other eight hours; CIA employees receive straight pay for the whole 40 hours. It is interesting to note DIA makes the payments although its own

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instructions do not appear to authorize it. The explanation is the overtime payment is in conformance with Civil Service regulations. Due to pay scales for overtime, employees in grade GS-12 step 5 receive the same amount for overtime and straight pay. The overtime compensation received by DIA personnel [] therefore, impacts again only on the CIA employees in the lower grades. None of these positions is NON-EXEMPT; hence, FLSA rules do not apply.

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b. The matter of the "donated" eight hours of overtime for GS-12 and above personnel has been reviewed numerous times in the Agency and each time the Deputy Directors reaffirmed the policy. As a practical matter, a change in the 40 hour concept to overtime paid after eight hours of a single workday would, we understand, cause considerable restructuring of the payroll system by the Office of Finance.

4. Summary and Recommendation

a. In summary, the only way to equalize the promotion and overtime policies and practices of DIA and CIA would be to change Agency policies in these two areas.

b. While the Office of Personnel continues to recommend a change in the one-grade promotion policy, no claim is made that this would significantly reduce the time it would take an employee to progress from GS-07 to GS-11. The impact of the Agency's competitive promotion policy on the availability of headroom in the various grades as controlled by the CSGA must be recognized. It well may be that in some offices and Directorates the progress to GS-11 would be no faster than it is under the current system, and the employee would lose the benefit of the inbetween grade salary during the waiting period for the higher grade. On the other hand, there may be components where the CSGA would permit a more rapid progress and the overall benefits to the employee would be greater. A change would also have the benefit of responding to employee complaints and concerns that the Agency policy in this area is different from the rest of Government. Most employees see the two-grade system as a benefit and do not recognize, despite explanations in as many training courses as can accommodate the subject, the purpose and ramifications of the competitive promotion system.

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c. Again, despite the numerous times it has been reviewed, we recommend a reconsideration of the eight hours "donated" overtime policy. We believe Agency management should recognize its responsibility for directed overtime work and compensate all grades eligible by statute for work performed.

[Redacted Signature]

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